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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/672,561	09/29/2003	Gersh Korsinsky		8839
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7590	07/08/2005		EXAMINER	
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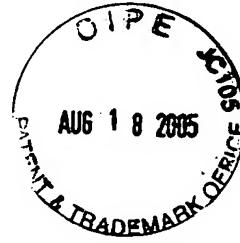
GERSH KORSINSKY  
APARTMENT 4B  
1236 49th STREET  
BROOKLYN, NY 11219

PHILLIPS, CHARLES E
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ART UNIT	PAPER NUMBER
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3751
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DATE MAILED: 07/08/2005



Please find below and/or attached an Office communication concerning this application or proceeding.



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**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment document filed on 9-17-04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT. UNCHECKED ( )

1. Amendments to the specification:  
 A. Amended paragraph(s) do not include markings.  
 B. New paragraph(s) should not be underlined.  
 C. Other \_\_\_\_\_

2. Abstract:  
 A. Not presented on a separate sheet. 37 CFR 1.72.  
 B. Other \_\_\_\_\_

3. Amendments to the drawings: \_\_\_\_\_

4. Amendments to the claims:  
 A. A complete listing of all of the claims is not present.  
 B. The listing of claims does not include the text of all pending claims (including withdrawn claims).  
 C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).  
 D. The claims of this amendment paper have not been presented in ascending numerical order.  
 E. Other: \_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preonnotice/officeflyer.pdf>.

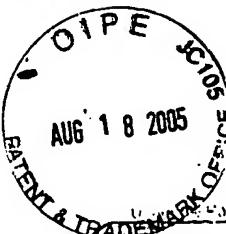
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.**

*Nicole Patterson-Smith*  
Legal Instruments Examiner (LIE)

571-272-4381  
Telephone No.



*DSW 375*

PTO/SB/17 (05-03) Approved for use through 04/30/2003 OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# Fee Transmittal for FY 2003

Fees effective 01/01/2003. Patent fees are subject to annual revision.

Application claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(S)** **375**

## Complete If Known

Application Number	10/672,561
Filing Date	09/29/2003
First Named Inventor	Gersh Korsinsky
Examiner Name	Charles E. Phillips
Art Unit	3751
Attorney Docket No	

## METHOD OF PAYMENT (check all that apply)

Check  
 Credit Card  
 Money Order  
 Other  
 None

## Checklist for Payment

Checklist for Payment  
 Deposit Account  
 Credit Card  
 Money Order  
 Other  
 None  
  
 The Director is authorized to: (check all that apply)  
 Credit any overpayments  
 Credit any additional fees(s) during the pendency of this application  
 Credit any fees indicated below, except for the filing fee  
 to the above identified deposit account

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Description	Fee Paid	Fee Description	Fee Paid
1051 130	2051 65 Surcharge - late filing fee or oath			
1052 50	2052 25 Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130 Non-English specification			
1812 2,520	1312 2,520 For filing & request for ex parte reexamination			
1803 920	1804 920* Requesting publication of SIR prior to Examiner action			
1905 1,840*	1805 1,640* Requesting publication of SIR after Examiner action			
1251 110	2251 65 Extension for reply within first month			
1252 410	2252 205 Extension for reply within second month			
1253 930	2253 465 Extension for reply within third month			
1254 1,450	2254 725 Extension for reply within fourth month			
1255 1,970	2255 985 Extension for reply within fifth month			
1401 320	2401 160 Notice of Appeal			
1402 320	2402 150 Filing a brief in support of an appeal			
1403 280	2403 140 Request for oral hearing			
1451 1,510	1451 1,510 Petition to Institute a public use proceeding			
1452 110	2452 65 Petition to revive - unavoidable			
1453 1,300	2453 650 Petition to revive - unintentional			
1501 1,300	2501 650 Utility issue fee (or reissue)			
1502 470	2502 235 Design issue fee			
1503 630	2503 315 Plant issue fee			
1550 130	1450 130 Petitions to the Commissioner			
1807 50	1807 50 Processing fee under 37 CFR 1.17(q)			
1808 180	1808 180 Submission of Information Disclosure Stmt			
0121 40	0021 40 Recording each assignee: assignment per property (times number of properties)			
1609 750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))			
1810 750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))			
1801 750	2801 375 Request for Continued Examination (RCE)			
1802 900	1802 900 Request for expedited examination of a design application			

Other fee (specify)

\*Revised by Basic Filing Fee Paid

SUBTOTAL (1) (S)

SUBMITTED BY		(Complete if applicable)		
Name	GERSH KORSINSKY	Registration No.		Telephone 1718-435-1107
Signature	<i>Gersh Korsinsky</i>	Attorney/Agent		Date 09/19/2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Please note: All information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Please feel free to stop, save, and resuming and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on this collection should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioneer for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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